

Form TT-8 Virginia Tobacco Products Tax Return And Instructions

- You must register for Tobacco Products before using the form below. Other Tobacco Products ("OTP") distributors making taxable purchases of roll-your-own (RYO) tobacco, and who are not currently registered as a cigarette stamping agent, are required to apply for a dual registration permit as both an OTP distributor and a cigarette stamping agent.
- To register, complete Form R-1, Business Registration Application, which is also available on our Web-site: www.tax.virginia.gov.
- Attached are instructions and a tax return for you to use to remit your Tobacco Products Tax, commonly referred to as the Other Tobacco Products Tax or "OTP" tax.
- Please complete the return, detach it at the dotted line, and mail it with your payment to the address shown above. Do not send the entire page.
- You are required to file a return with the Virginia Department of Taxation even if no tax is due.
- Mail Completed Return to: **Virginia Department Of Taxation
Other Tobacco Products
PO Box 26626
Richmond Va 23261-6626**

For assistance, please call us at **(804) 371-0730** or write the **Virginia Department of Taxation, P.O. Box 715, Richmond, VA 23218-0715**. You can obtain most Virginia tax forms from our Web-site: www.tax.virginia.gov or by calling the Department's Forms Request Unit at (804) 440-2541.

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Form TT-8

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Virginia Tobacco Products Tax Return (OTP)

For assistance call: (804) 371-0730

Web

Period	Due Date
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00000000000000000000 22888888 000000

Account Number		
Name		
Address		
City	State	Zip

I declare that this return has been examined by me and to the best of my knowledge and belief is true, correct and complete.

Signature _____ Date _____ Phone Number _____

Va. Dept. of Taxation TT-8 AR W (REV 1/07)

Do not write in the
space at right.

1 Cigars	
2 Pipe Tobacco	
3 Roll-Your-Own Cigarette Tobacco	
4 Smokeless Tobacco	
5 Adjustments (Enter negative numbers in brackets.)	
6 Subtotal (Add Lines 1 through 5)	
7 Tax - 10% (Line 6 X .10)	
7a Dealer's Discount (Line 7 X .02)	
7b Total Tax (Line 7 minus Line 7a)	
8 Penalty	
9 Interest	
10 Total Due (Add Lines 7b through 9)	

Form TT-8 Virginia Tobacco Products Tax Return Instructions

WHAT'S NEW: 2006 Senate Bill 729 makes roll-your-own (RYO) tobacco subject to the cigarette excise tax instead of the tobacco products tax. The cigarette tax on roll-your-own tobacco, however, is imposed at the same rate and in the same manner as the tobacco products tax and is reported on this return. Other Tobacco Products ("OTP") distributors making taxable purchases of roll-your-own tobacco are required to have a stamping agent permit in addition to an OTP distributors license.

GENERAL: The Virginia Tobacco Products Tax, commonly referred to as the Other Tobacco Products Tax or "OTP" tax, is imposed on every distributor. Distributor means: Any person engaged in the business of selling tobacco products in the Commonwealth who brings, or causes to be brought, into the Commonwealth from outside the Commonwealth any tobacco products for sale; any person who makes, manufactures, fabricates or stores tobacco products in the Commonwealth for sale in the Commonwealth; any person engaged in the business of selling tobacco products outside the Commonwealth who ships or transports tobacco products to any person in the business of selling tobacco products in the Commonwealth; or any retail dealer in possession of untaxed tobacco products in the Commonwealth.

For further information, refer to the Tobacco Products Tax Guidelines And Rules, which are available from our Web-site www.tax.virginia.gov.

TAX RATES: The tax is imposed at a rate of 10% of the manufacturer's sales price. The "manufacturer's sales price" is the actual price for which a manufacturer, manufacturer's representative or any other person sells tobacco products to an unaffiliated distributor.

RECORDKEEPING: Each distributor must keep in each licensed place of business complete and accurate records for that place of business, including itemized invoices of:

- 1) tobacco products held, purchased, manufactured, brought in or caused to be brought in from outside the Commonwealth or shipped or transported to retailers in the Commonwealth;
- 2) all sales of tobacco products made;
- 3) all tobacco products transferred to other retail outlets owned or controlled by that licensed distributor; and
- 4) any other records required by TAX. All such books, records and other papers and documents must be preserved for a period of at least three years, unless TAX authorizes, in writing, their destruction or disposal at an earlier date. At any time during usual business hours, duly authorized agents or employees of TAX may enter any place of business of a distributor and inspect the premises, the books, records and other papers and documents required to be kept and the tobacco products contained therein.

Each distributor who sells tobacco products to persons other than an ultimate consumer must render with each sale itemized invoices showing the distributor's name and address, the purchaser's name and address, the date of sale, all prices and the wording "Virginia Tobacco Products Tax Paid." In the event that items subject to the tobacco products tax are sold with items not subject to the tax, the invoice must show separate subtotals for taxable and nontaxable items or the seller must issue separate invoices for taxable and nontaxable items. The seller must preserve legible copies of invoices for three years after the date of sale.

Each distributor must procure itemized invoices of all tobacco products purchased. The invoices must show the name and address of the seller and the date of purchase. The distributor must preserve a legible copy of each invoice for three years after the date of purchase.

Persons failing to make records available for inspection by TAX during regular business hours are guilty of a Class 2 misdemeanor under Va. Code § 58.1-103.

Each invoice issued by a wholesale dealer subject to the tax must prominently reflect that the OTP tax for the products listed on the invoice will be paid by the wholesaler by the wording "Virginia Tobacco Products Tax Paid".

Form TT-20, Tobacco Products Tax Monthly Recordkeeping, is available to assist you in the preparation of your Virginia OTP tax return. This form **does not** need be filed with your return, but should be completed and kept with your records.

FILING PROCEDURE: Make a check or money order payable to the Virginia Department of Taxation and mail Form TT-8, with your payment, to the **Department of Taxation, P.O. Box 26626, Richmond, Virginia 23261-6626**, on or before the 20th day of the following month. A return must be filed for each reporting period even if no tax is due. Payments returned by the bank will be subject to a returned payment fee in addition to any other penalties that may be incurred.

QUESTIONS: Call (804) 371-0730 or write the **Virginia Department of Taxation, P.O. Box 715, Richmond, VA 23218-0715**. You can obtain most Virginia tax forms from our Web-site: www.tax.virginia.gov or by calling the Department's Forms Request Unit at (804) 440-2541.

LINE INSTRUCTIONS FOR COMPLETING RETURN

- The amount for total taxable purchases is based on the manufacturer's sales price for each OTP.
- Lines not mentioned below are self explanatory on the return.

Line 1 - Enter the total taxable purchases of cigars.

Line 2 - Enter the total taxable purchases of pipe tobacco.

Line 3 - Enter the total taxable purchases of roll-your-own cigarette tobacco.

Line 4 - Enter the total taxable purchases of smokeless tobacco.

Line 5 - Enter the adjustments recorded in current month. The amount of Line 5 can not exceed the total of Lines 1 through 4. Any excess may be carried-over to the next return. **Enter negative numbers in brackets.**

Line 6 - Enter the total of Lines 1 through 5.

Line 7 - Enter the tax due computed by multiplying Line 6 by 10% (.10).

Line 7a - Enter the dealer's discount of 2%. It is computed by multiplying Line 7 by 2% (.02). **A dealer's discount may be taken only if the return and payment are submitted by the due date.**

Line 7b - Enter the total of Line 7 minus Line 7a.

Line 8 - Enter the penalty due if applicable. If the tax is not paid when due, a penalty of 5% of the tax due for the first month, or fraction thereof, and 2% for each additional month, or fraction thereof, up to a maximum of 20% is assessed. Penalty on unpaid tax is from the due date to the assessment date of the bill.

Line 9 - Enter the interest due if applicable. Interest is due if you file the return and/or pay the tax after the due date. Interest is computed on the tax due at the rate established in Section 6621 of the Internal Revenue Code of 1954, as amended, plus 2%.

Line 10 - Enter the total of Lines 7b through 9.